

CHAPTER 86-03-07

HOURS - PASSES AND LEAVES - DISCHARGES

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86-03-07-01. Hours.

1. A resident may not arise before five-thirty a.m. creating a disturbance in the various wards and corridors to the annoyance and discomfort of others. Radios and televisions in the lounges may not be operated after ten-thirty p.m. unless special permission has been obtained. Radios and televisions in resident rooms may be operated any time, provided that it is agreeable with roommates and no one else is disturbed. Residents who are unable to sleep and do not want to disturb their roommate may watch television all night in the recreation room on the ground floor of the new addition to the home.
2. The home must be locked and all public access lights with the exception of the emergency lights must be turned out at ten p.m. Special arrangements may be made with the aide on duty for a resident to remain out until twelve a.m. on occasion. Residents who desire to remain out later than twelve a.m. may obtain a twenty-four-hour pass, and may not return to the home before six a.m. the following day.

History: Effective May 1, 1987.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 37-15-03, 37-18.1-03(2)

86-03-07-02. Passes and leaves.

1. A resident may obtain a pass for a maximum of ninety-six hours from the commandant or other designated staff member. Residents going on pass or leave must sign themselves out before leaving, and upon returning to the home, must sign themselves in and report to the infirmary. A resident may not return to the home prior to six a.m. or after ten p.m. A resident returning from pass or leave shall remain at the home for twenty-four hours or more before being granted another pass or leave.
2. A resident absent without leave for a period of twenty-four hours must be issued a disciplinary discharge. A resident may be on regular leave for a maximum of one hundred twenty consecutive days. Prior to going on leave, a resident shall sign out, and at that time, must be issued a leave slip. During a leave period a resident's papers must be left in the care of the commandant. A resident going on leave may place personal effects in storage or shall sign a waiver releasing the home from responsibility

for the loss of items which are left in the resident's room. The home assumes no financial or personal responsibility for a resident on pass or leave.

3. A resident who wishes a longer leave than one hundred twenty consecutive days shall return to the home prior to the leave expiration date and obtain another leave slip from a staff physician during the physician's regular visit to the home. A resident who fails to return to the home to obtain another leave slip must be discharged. A resident who chooses not to return within the one hundred twenty days shall notify the home and request a discharge. Failure to do so shall result in the resident receiving a disciplinary discharge as absent without leave.
4. A leave may be extended in special circumstances. Outside employment of a resident, or avoidance of hardship may be considered by the commandant in granting extensions. However, the extensions may not be granted if other applicants have been denied and are awaiting admission to the home due to lack of space.
5. A resident who is admitted to a hospital must be placed on medical leave for a maximum of sixty consecutive days, after which a medical discharge must be issued. After receiving a medical discharge, an individual need only resubmit a medical certificate provided by the home. An individual must reapply for admission prior to discharge from the hospital or follow the regular application procedure.
6. Enforced disciplinary leaves may be issued by the commandant for infringement of the home's rules and regulations.

History: Effective May 1, 1987.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 37-15-03, 37-18.1-03(2)

86-03-07-03. Discharges.

1. A resident may obtain an honorable discharge at any time upon request.
2. The commandant may issue a disciplinary discharge for infringement of the home's rules and regulations. Arrest and conviction of a resident, or conduct of a resident off the premises that would be considered unacceptable by community standards, are grounds for disciplinary discharge. Issuance of a disciplinary discharge disqualifies a resident from gaining readmission to the home for six months thereafter and requires submission of another application and medical certificate. A resident who receives a disciplinary discharge must leave the premises immediately, unless specific authorization is obtained from the commandant to remain overnight.

3. Upon discharge, a resident's personal property must be returned to the resident and must then be removed from the buildings and grounds. Money credited to a resident shall be released only after all outstanding bills have been paid.
4. A resident must be given a medical discharge, if in the opinion of the commandant, the resident is no longer able to care for his or her personal needs. Prior to discharge, every effort must be made to place a resident. A resident refusing placement is responsible for making his or her own arrangements after discharge.
5. Under the rules and regulations prescribed by the administrative committee on veterans' affairs for admission and residency at the North Dakota veterans' home, when a resident can no longer care for their personal needs, the resident shall become a charge of the county of residence at the time of admission to the home.

History: Effective May 1, 1987.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 37-15-03, 37-18.1-03(2)